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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA
AT ANCHORAGE

YUKON DELTA FISHERIES DEVELOPMENT
ASSOCIATION, et al.,

Plaintiffs,

V.

NATIONAL MARINE FISHERIES SERVICE,
et al.,

Defendants.

Cause No. A05-245 CV (JKS)

SECOND JOINT MOTION FOR STAY

Plaintiffs and Defendants in this case, through counsel, hereby jointly move the Court to stay this case until July 21, 2006, or such earlier date as is consistent with this motion. In support of this motion, the parties state as follows:

1. Throughout the course of this case, the parties have been working to settle this matter. During the course of these negotiations, the parties have agreed that efforts would be better directed towards settlement as opposed to responding to the Complaint or preparation of the administrative record. To date, there have been three unopposed extensions of time to file the answer and the

administrative record in this case, and then a joint motion to stay this case. The stay currently expires on May 31, 2006 [*Docket No. 14*].

2. During the stay, Federal Defendants have finalized a rule clarifying most or all of the issues that are currently the subject of this litigation. That rule becomes effective on June 9, 2006.

3. The parties now seek a stay of this case for six weeks after the date this rule becomes effective -- to July 21, 2006 -- to allow the effects of the rule more fully play out. At or before the conclusion of this period, it is expected that the case can either be dismissed, or any remaining issues can be more specifically identified and the remaining case thus more narrowly focused.

Dated: May 31, 2006

Respectfully submitted,

SUE ELLEN WOOLDRIDGE
Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division
JEAN E. WILLIAMS, Section Chief
LISA L. RUSSELL, Assistant Section Chief

s/ Joseph H. Kim
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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2006, I caused the foregoing, together with a proposed order relating to the same, to be electronically filed with the Clerk of the Court using the CM/ECF System. Because counsel of record in this matter does not appear to have registered such that he will receive notification through the CM/ECF System, I have also mailed a copy of these documents on this date by first-class U.S. Mail, postage pre-paid, to the address indicated below:

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s/ Joseph H. Kim
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